

# Kentucky Board of Dentistry

## Minutes of Board Meeting

July 14<sup>th</sup>, 2018

The meeting was called to order at 9:00 a.m.

### **Roll Call-Crystal Holloway**

*Members Present:* Bradley Fulkerson DMD, Jason Ford DMD, Lucas Bowen DMD, Tonia Socha-Mower RDH, Donna Ruley RDH, Christopher Mattingly DMD, Yvonne Bach, Geoffrey Ball DMD and Mariam Fallahzadeh DMD

*Ex-Officio Members Present:* Julie McKee, DMD (Department for Public Health), Tim Daugherty, DMD (University of Louisville) and Deborah Ray, DMD (University of Kentucky)

Also Present: Larry Brown, Executive Director, Crystal Holloway, KBD Staff, Cindy Effinger, Legal Counsel, Beth Nicely, Executive Director of KY Dental Hygienists Association, Mary Jones, RDH (Bluegrass Community and Technical College), Todd Edwards (Assistant Executive Director of the KDA), Theresa Mayfield, DMD (DentaQuest, Kentucky Dental Director) and Jerry Caudill (State Dental Director of Avesis)

*Board Members Absent:* Louis Beto, DMD

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**SWEARING IN OF NEW BOARD MEMBERS:** By Crystal Holloway, KBD Staff  
Doctors Christopher Mattingly, Geoffrey Ball and Mariam S. Fallahzadeh. Hygienist Donna Ruley.

The minutes of the May meeting were reviewed and approved with amendments. A motion was made by Brad Fulkerson DMD to approve the minutes. This motion was seconded by Yvonne Bach. All were in favor and the minutes were approved.

### **NOMINATIONS FOR BOARD OFFICERS**

Jason Ford, DMD nominates Brad Fulkerson, DMD for President- Accepted by Brad Fulkerson DMD  
Brad Fulkerson DMD nominates Lucas Bowen DMD for Vice-President-Accepted by Lucas Bowen DMD

Lucas Bowen DMD nominates Yvonne Bach, Citizen at Large for Secretary/Treasurer-Accepted by Yvonne Bach, Citizen at Large. Motion made by Geoffrey Ball DMD to accept the slate of Board Officers. This motion was seconded by Jason Ford, DMD. All were in favor of the motion.

### **Financial Report & Biennial Budget**

**LEGAL REPORT-** Cindy Effinger, Legal Counsel

The LEC has the power to investigate complaints, issue settlement agreements and /or agree to mediation. If these options are not agreed upon then the LEC must bring the matter at to KBD for a 13B hearing. The dentist or hygienists can take matter to the circuit court.

Ms. Effinger recommends creating a procedural manual. Brad Fulkerson. DMD states that majority of the time the LEC works it through with the dentist or hygienist, but there are some instances where there would need to be a 13B hearing. Mr. Brown states that the regulations and statutes are vague on the process, saying that it may or may not be the LEC, probably lawyer against lawyer, and the LEC is the backup and the KBD would make the decision.

Jason Ford DMD states that talking to the community and letting them know that the Office of Inspectors General is coming down hard on dentist not using KASPER correctly, so that they don't think the KBD is becoming predatory with fines and settlement agreements. If it goes to the Office of Inspector Generals the fines and penalties would be drastically more than what the KBD is fining.

**CHAIR REPORT- Dr. Bradley Fulkerson**

**Compensation for Dr. Robert Zena**

Motion made by Dr. Lucas Bowen to approve Dr. Robert Zena to be compensated for per diem and state travel for continuing on the Law Enforcement Committee (LEC) effective July 1, 2018. Motion seconded by Yvonne Bach. All were in favor of the motion.

**Committee Chair Updates**

LEC Committee: The LEC is made up of 3 dentists, Jason Ford DMD, Brad Fulkerson DMD and Robert Zena DMD.

Statutes Committee: Serving on the committee are: Brad Fulkerson, DMD, Yvonne Bach, Tonia Socha-Mower, RDH and Donna Ruley, RDH.

Prescribing Committee: Serving on the committee are: Dr. Jason Ford, Yvonne Bach, Dr. Geoffrey Ball and other interested parties such as Jerry Caudill (Avesis) and Rick Whitehouse (KDA).

Sedation and Anesthesia Committee: Serving on the committee are: Dr. Jason Ford, Dr. Louis Beto and Dr. Lucas Bowen. Lucas Bowen DMD stated that they have a draft of the new regulations and are ready to hold an open public meeting. Adam Rich, DMD was compiling everything was the chair. Larry states that Adam Rich DMD is stilling to help on the committee. Jason Ford DMD has been added to the committee and the committee will appoint a new chairperson on the next meeting. Lucas Bowen states that they are still writing guidelines.

Tele Dentistry Committee: Serving on the committee are: Dr. Julie McKee, Tonia Socha-Mower RDH, Donna Ruley RDH, Dr. William Rich and Dr. Jerry Caudill. Brad Fulkerson DMD stated that Robert

Zena DMD would like to remain an active member of this committee. Mr. Brown stated that Tele Health Regulations will go into effect July 2019. Deborah Ray DMD inquired as to the status of the KBD Tele Dentistry committee wanting input and involvement from the universities.

### **Executive Director Report-Mr. Larry Brown**

**NEW INVESTIGATOR INTRODUCTION:** Marisa Midkiff Neal, Investigator

### **Reports from Drug Policy Workgroup, Oral Health Summit, Madisonville, KY, AADB Webinars**

**Drug Policy Workgroup and Oral Health Summit:** Mr. Brown stated that he had been attended meetings and that he received good information, looking at outliers.

**AADB Webinars:** Mr. Brown stated that he has attended the 1 hour webinars and they were talking about how dental offices are not inspected.

**LRC Process:** Mr. Brown stated the LRC Process need to be in by noon by the 15<sup>th</sup> of the month. He stated that all comments must be addressed and that the regulations need to be set as a board and talked about before end of the year.

**Possible 13b Hearing:** September 12<sup>th</sup> @ 1pm, 13B Hearing: Geoffrey Ball, DMD, Yvonne Bach, Lucas Bowen, DMD and Christopher Mattingly DMD (if the time can be changed).

Motion was made by Brad Fulkerson DMD to hold a 13B hearing for Sedar Abadi, DMD. Motion was seconded by Yvonne Bach. All were in favor of the motion.

Motion was made by Brad Fulkerson DMD to hold a 13B hearing for Deidra McFann, RDH. Motion was seconded by Yvonne Bach. All were in favor of the motion.

**Jurisprudence Exam:** Mr. Brown advised that the Jurisprudence Exam was revised and added to the website on July 1<sup>st</sup>, 2018.

**Memorandum of Understanding with the University of Louisville:** Needed for future refresher courses for dentists.

**TELE HEALTH SB112 LEGISLATIVE AND REGULATORY WORKGROUP:** This group meets bi-monthly.

**REPORT ON AADB MEETING:** Tonia Socha-Mower, RDH gave informational report on the AADB conference.

### **NEW BUSINESS**

**SILVER DIAMINE FLUORIDE:** Dr. Jerry Caudill asked if the Kentucky Board of Dentistry had made a decision regarding hygienists applying SDF. Dr. Caudill states that he believes it is in the scope of practice and that 26 states allow hygienist to apply Silver Diamine Fluoride (SDF). Dr. Julie McKee states that there is a preventive code for it and they only need consent from the parents and that the Public

Health Hygienist send the patients to the dentist for further SDF application. There is a 92% referral rate. Dr. Fulkerson stated that no decision had been made and after much discussion, a SDF Committee formation was proposed. Dr. Fulkerson asked for interested board members:

SDF Committee: Dr. Julie McKee, Dr. Geoffrey Ball, Tonia Socha-Mower, RDH, Dr. Lucas Bowen and Dr. Brad Fulkerson. First meeting to be held September 8, 2018.

Motion was made by Brad Fulkerson, DMD for adjournment. The motion was seconded by Tonia Socha-Mower RDH. All were in favor of the motion.

The meeting adjourned at 11:02am.